



769-336 Div. 6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*SAC#*  
*ITW*  
*A*

Applicant: McMahon

Customer No. 29540

Serial No.: 09/915,103

For: **METHODS OF MAKING SLIDE-ZIPPERED RECLOSABLE  
PACKAGES ON HORIZONTAL FORM-FILL-SEAL MACHINES**

Filed: July 25, 2001

Examiner: Sipos

Art Unit: 3721

Pitney Hardin LLP  
7 Times Square  
New York, New York 10036-7311

**PETITION UNDER RULE 78(a)(3) TO ACCEPT  
UNINTENTIONALLY DELAYED PRIORITY CLAIM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Patentee respectfully petitions for the acceptance of an unintentionally delayed

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an envelope addressed: Commissioner of Patents and Trademarks,  
P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2004

Ronald E. Brown

Attorney

*Ronald E. Brown*  
Signature

July 27, 2004

Date of Signature

The Commissioner is hereby authorized to charge any additional  
fees which may be required, or credit any overpayment to  
Account No. 50-1145, Order No. 099998.000069.

08/03/2004 HALI11 00000084 501145 09915103

01 FC:1454 30.00 DA 1300.00 DP

priority claim to include U.S. patent application serial no. 09/631,179, filed August 2, 2000 and which was pending on July 25, 2001 (the filing date of this application) as described in the Amendment and Request for Interference Under 37 C.F.R. §1.607 of February 11, 2003 (copy of pages 1 and 2 and Certificate of Mailing enclosed)

It is respectfully submitted that said Amendment provides the reference to the prior-filed application under 35 U.S.C. §120, as required by Rule 78(a)(3)(i)

The surcharge set forth in Rule 17(t) is enclosed as required by Rule 78(a)(3)(ii). Please charge any deficiencies or credit any overpayment to Deposit Account No. 50-1145, Order No. 099998.000069.

In accordance with Rule 78(a)(3)(iii), patentee states that the entire delay between the date the claim was due under Rule 78(a)(2)(ii) and the date the claim was filed was unintentional.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald Levy", with a long horizontal flourish extending to the right.

Gerald Levy  
Registration No. 24,419

Ronald E. Brown  
Registration No. 32,200

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): McMahon et al.

Docket No.

769-236 Div. 6

Serial No.

09/915,103

Filing Date

July 25, 2001

Examiner

John Sipos

Group Art Unit

3721

Invention:

METHODS OF MAKING SLIDE ZIPPERED RECLOSABLE PACKAGES ON HORIZONTAL  
FORM-FILL-SEAL MACHINES

JUL 29 2004

I hereby certify that the following correspondence:

Amendment and Request for Interference Under 37 CFR 1.607; declaration under rule 608(a) and a check for  
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769-236 Div. 6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: McMahon et al.

Serial No.: 09/915,103

Filed: July 25, 2001

For: Methods of Making Slide-Zippered Reclosable  
Packages on Horizontal Form-Fill-Seal Machines

Examiner: John Sipos

Art Unit: 3721

685 Third Avenue  
New York, New York 10017  
212-297-5800

**AMENDMENT AND REQUEST FOR INTERFERENCE  
UNDER 37 C.F.R. §1.607**

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

S I R:

COPY

In response to the Office Action of November 15, 2002, please amend the above-identified application as follows:

In the Specification:

Page 1, line 6, after Title of the Invention, please rewrite the paragraph as follows:

--**CROSS REFERENCE TO RELATED APPLICATIONS.** This is a division of application serial number 09/631,179 filed August 2, 2000, which is a division of U.S. Patent Application serial number 09/316,866 filed on May 21, 1999, now U.S. Patent No. 6,138,439.--

In the Claims:

COPY

Kindly amend Claim 33 and add Claims 34-74 as follows:

33. (amended) The method according to Claim 32 wherein zipper cross-seals formed by said step of cross-sealing the ends of the reclosable zipper extend into package cross-seals formed by said step of cross-sealing said folded film.

34. (new) A method of manufacturing recloseable packages, said method comprising:

providing a first wall panel opposing a second wall panel;

positioning a zipper between said first and second wall panels, said zipper including a first track with a first profile and a second track with a second profile, said first and second profiles being releasably engageable to each other, and a slider slidably mounted to said zipper for movement between a closed position and an open position, said first and second profiles being engaged to each other while said slider is in said closed position, said first and second